

GUTRIDE SAFIER LLP

ADAM J. GUTRIDE (State Bar No. 181446)
SETH A. SAFIER (State Bar No. 197427)
KRISTEN G. SIMPLICIO (State Bar No. 263291)
100 Pine Street, Suite 1250
San Francisco, California 94111
Telephone: (415) 639-9090
Facsimile: (415) 449-6469

TYCKO & ZAVAREEI LLP

HASSAN A. ZAVAREEI (State Bar No. 181547)
JEFFREY D. KALIEL (State Bar No. 238293)
2000 L Street, N.W., Suite 808
Washington, DC 20036
Telephone: (202) 973-0900
Facsimile: (202) 973-0950

Attorneys for Plaintiff SCOTT KOLLER

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO

SCOTT KOLLER, an individual, on behalf
of himself, the general public and those
similarly situated,

Plaintiff,

v.

MED FOODS, INC., AND DEOLEO USA,
INC.

Defendants.

CASE NO. 3:14-CV-2400-RS

UNLIMITED CIVIL CASE

ADMINISTRATIVE MOTION TO SEAL
PORTIONS OF PLAINTIFF'S MOTION FOR
CLASS CERTIFICATION AND SUPPORTING
DECLARATIONS

Hon. Judge Richard Seeborg

1 Pursuant to Local Rule 79-5(d), Plaintiff Scott Koller respectfully files this administrative
2 motion to seal certain portions of the following documents:

3 Plaintiff's Motion for Class Certification

4 Declaration of Kristen G. Simplicio, including supporting exhibits

5 Declaration of Rodney Mailer

6 Declaration of Colin Weir, including supporting exhibits.

7 These documents contain information designated as confidential or highly confidential by
8 Defendant or third party Information Resources, Inc. ("IRI") pursuant to the protective order
9 entered in this case. Specifically, information derived from material designated highly
10 confidential by IRI appears at: (1) Page 10, lines 15 and 17 of Plaintiff's Motion for Class
11 Certification; and (2) Paragraphs 47, 54, 56-60, and 71, and Tables 1-3 of the Declaration of
12 Colin Weir. This information is highlighted for this Court in blue. All other material that Plaintiff
13 seeks to seal has been designated confidential or highly confidential by Defendant and is
14 highlighted in yellow.

15 Plaintiffs make this motion at the request of Defendant and IRI pursuant to Civil Local
16 Rules 7-11 and 79-5. In accordance with the local rules, Defendant and IRI will identify the
17 specific portions of the Motion Papers that they seek to seal and which remaining portions can be
18 filed in a redacted public version. Defendant and IRI will also provide in a separate filing, as
19 provided by the local rules, the evidentiary basis for its request to seal and a proposed order.
20 Plaintiffs reserve the right to oppose portions of their requests that exceed the scope of the
21 protective order and applicable law.

22 Dated: October 29, 2015

GUTRIDE SAFIER LLP

23 By: /s/ Kristen Simplicio

24 Adam J. Gutride

25 Seth A. Safier

Kristen G. Simplicio

26 100 Pine Street, Suite 1250

27 San Francisco, California 94111

PROOF OF SERVICE

I, Kristen G. Simplicio, declare:

My business address is 100 Pine Street, Suite 1250, San Francisco, California. I am employed in the County of San Francisco. I am over the age of 18 years and not a party to the within cause.

On October 29, 2015 I served the following documents:

**PLAINTIFF'S MOTION FOR CLASS CERTIFICATION
DECLARATION OF KRISTEN SIMPLICIO
DECLARATION OF RODNEY MAILER
DECLARATION OF COLIN WEIR
DECLARATION OF ADAM GUTRIDE
DECLARATION OF HASSAN ZAVAREEI
PLAINTIFF'S ADMINISTRATIVE MOTION TO SEAL
DECLARATION OF KRISTEN SIMPLICIO IN SUPPORT OF PLAINTIFF'S
ADMINISTRATIVE MOTION TO SEAL
[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION TO SEAL**

on the following person(s) in this action by placing a true copy thereof as follows:

Jeff Margulies
Saul Perloff
Stephanie Stroup
Julie Glazer
Jade Jurdi
Fulbright & Jaworski LLP
555 South Flower Street, Forty-First Floor
Los Angeles, California 90071
stephanie.stroup@nortonrosefulbright.com
saul.perloff@nortonrosefulbright.com
jade.jurdi@nortonrosefulbright.com
jeff.margulies@nortonrosefulbright.com
julie.glazer@nortonrosefulbright.com
monica.tapia@nortonrosefulbright.com
betsy.hilliard@nortonrosefulbright.com

In addition, on October 29, 2015 I served the following documents:

**PLAINTIFF'S MOTION FOR CLASS CERTIFICATION¹
DECLARATION OF COLIN WEIR**

¹ As Information Resources, Inc. and its counsel are not parties to the protective order, the version of the Motion for Class Certification and the Declaration of Colin Weir served on the company was redacted to protect the information designated highly confidential by Defendant Deoleo USA, Inc.

**PLAINTIFF'S ADMINISTRATIVE MOTION TO SEAL
DECLARATION OF KRISTEN SIMPLICIO IN SUPPORT OF PLAINTIFF'S
ADMINISTRATIVE MOTION TO SEAL
[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION TO SEAL**

on the following person(s) in this action by placing a true copy thereof as follows:

David Becker
Freeborn & Peters LLC
311 South Wacker Drive
Suite 3000
Chicago, IL 60606
E-mail: dbecker@freeborn.com

☒ BY E-MAIL. I caused said documents to be transmitted to the email address indicated.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this document was executed on October 29, 2015, at Berkeley, California.



Kristen G. Simplicio, Esq.